

REMARKS

In response to the Office Action mailed September 27, 2004, Applicant respectfully requests reconsideration.

As a preliminary matter, Applicant notes with appreciation that the rejections under 35 U.S.C. §102 and 103 have been withdrawn.

The Office Action indicates that the drawing correction filed July 23, 2004 was not received in the Patent Office. Accordingly, Applicant has represented the change to Figure 7 as previously presented in the July 23, 2004 amendment. Review and approval of the proposed drawing correction is respectfully requested.

Claims 1-9 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over certain claims of U.S. Patent No. 6,697,774. Although Applicant does not agree with this rejection and believes that the claims of the present application are not obvious in view of the claims of the '774 patent, for purposes of expediting prosecution, Applicant files herewith a Terminal Disclaimer to overcome the rejection. Accordingly, withdrawal of the obviousness-type double patenting rejection is respectfully requested.

As a result of this response, Applicant believes that claims 1-9 should now be in allowable condition.

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CONCLUSION

In view of the foregoing remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

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